

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

TRIAL MINUTES

Time in Court: 4 hours 44 minutes

JUDGE: JEFFREY S. WHITE

COURTROOM DEPUTY: Jennifer Ottolini

DATE: September 10, 2014

Court Reporter: Kathy Wyatt

CASE NUMBER: 4:06-CV-4686 JSW

CASE NAME: Kathleen Espinosa Espinosa, et al., v. City and County of San Francisco, et al.

COUNSEL FOR PLAINTIFF:

Benjamin Nissenbaum
John Burris

COUNSEL FOR DEFENDANT:

Blake Loebs
Peter Keith

PROCEEDINGS: Jury Trial (Day - 4)

(SEE ATTACHED TRIAL LOG)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

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CASE NAME: Espinosa, et al., v. City and County of San Francisco, et al.

TRIAL SHEET, EXHIBIT and WITNESS LIST

DISTRICT JUDGE: JEFFREY S. WHITE	PLAINTIFF ATTORNEY: Benjamin Nissenbaum John Burris	DEFENSE ATTORNEY: Blake Loeb Peter Keith
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TRIAL DATE:
September 10, 2014

REPORTER(S):
Kathy Wyatt

CLERK:
Jennifer Ottolini

PLFT. NO.:	DEFT. NO.:	TIME	ID	ADM	DESCRIPTION
		7:54 a.m.			Court convened. All parties are present. Counsel are present. The jury is not present. Note received from juror no. 8. Court and counsel discuss note received (outside the presence of the jury).
		7:58 a.m.			The jury is present. The Court instructed the jury re: Witness Testimony through deposition.
		8:03 a.m.			The Defendant called MARGARITA WYNN , via deposition, read through a reader, by Mr. Keith.
	228		X	X	Parkmerced conversation log
	229		X	X	Parkmerced Computer Screen Shot re: 2 Garces printed on 6-6-2006
		8:48 a.m.			Cross examination of MARGARITA WYNN , via deposition, read through a reader, by Mr. Burris.
		9:06 a.m.			Re-direct examination of MARGARITA WYNN , via deposition, read through a reader, by Mr. Keith.
		9:10 a.m.			Deposition reader is thanked and excused. Transcript of June 12 2006 Statement of MARGARITA WYNN to Insp. Cleary, SFPD is read to the jury by Mr. Burris.
		9:14 a.m.			The jury is admonished and court is recess pending return of Plaintiff's counsel, Mr. Nissenbaum.
		9:41 a.m.			Court reconvened. All parties are present. Counsel are present. The jury is not present. Court and counsel discuss matters outside the presence of the jury.

CASE NAME: Espinosa, et al., v. City and County of San Francisco, et al.

EXHIBIT and WITNESS LIST

Continued

PLFT. NO.:	DEFT. NO.:	TIME	ID	ADM	DESCRIPTION
		9:44 a.m..			The jury is now present. The Plaintiff called MICHELLE ALVIS , who was sworn and testified under direct examination by Mr. Nissenbaum.
		11:14 a.m.			The jury is admonished and court is in recess.
		11:34 a.m.			Court reconvened. All parties are present. Counsel are present. The jury is present. PAULO MORGADO , previously sworn, resumed the witness stand under cross examination by Mr. Loeb.
	222		X	X	Crime Scene Video
	214		X	X	Photo of Bedroom
	213		X	X	Photo of Bedroom
	313A		X	X	Audio of 6-6-2006 CAD (Dispatch only)
	105		X	X	Photo - Rafters and Officer Morgado's position
	112		X	X	Photo - Rafters and Officer Morgado's POV
		1:21 p.m.			The Court admonished the jury and the jury is in recess until 8:00 a.m on September 11, 2014. Court and counsel discuss scheduling.
		1:23 p.m.			Court is in recess until 8:00 a.m on September 11, 2014.